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PATENT APPLICATION GP/2633
Docket No: 6300.103

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robert W. McClane, et al.

Serial No.: 10/040,883

Filed: January 7, 2002

For: METHOD AND APPARATUS FOR RAMAN
IMAGING OF MACULAR PIGMENTS

RECEIVED
MAR 12 2002
Technology Center 2600
Art Unit
2633
I.D.S.

TRANSMITTAL FOR
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of forty-six (46) references submitted for consideration.
- ☒ Legible copies of the listed references or their relevant portions.
- ☒ All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

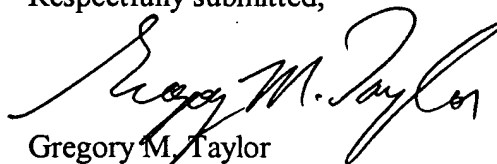
- ___ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ___ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ___ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ___ Promptness Certification.
- ___ Check No. _____ in the amount of \$240.00 constituting submission fee under 37 C.F.R. 1.17(p);
- ___ Petition for Consideration and Check No. _____ in the amount of \$ _____.
- ___ In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 28th day of February, 2002.

Respectfully submitted,



Gregory M. Taylor
Attorney for Applicant
Registration No. 34,263



022913



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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be “prior art” within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

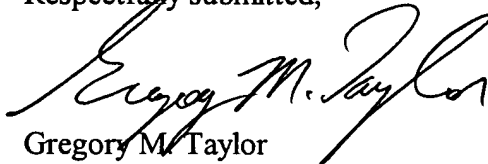
Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 C.F.R. § 1.98(a)(3)

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 28th day of February, 2002.

Respectfully submitted,



Gregory M. Taylor
Attorney for Applicants
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) Art Unit
) 2633

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 28, 2002.

Gregory M. Taylor
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Transmitted: Transmittal for Information
Disclosure Statement
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Enclosures

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Applicant: Robert W. McClane, et al.

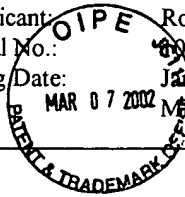
Serial No.: 09/040,883

Att'y Docket No. 6300.103

Filing Date: January 7, 2002

Group: 2633

For: MAR 07 2002 METHOD AND APPARATUS FOR RAMAN IMAGING OF MACULAR PIGMENTS



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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

MAR 12 2002

U.S. Patent Documents

Technology Center 2600

Examiner Initial*	Patent Number	Issue Date	Name	Class	Sub Class	Filing Date
_____A1	4,144,464	03/13/79	Loree, et al.	307	88.3	01/25/78
_____A2	4,318,057	03/02/82	Buchwald, et al.	372	70	06/04/79
_____A3	4,500,995	02/19/85	White	372	3	05/02/83
_____A4	4,758,081	7/19/88	Barnes	351	221	07/18/85
_____A5	4,807,240	02/21/89	Goldstone	372	69	01/11/88
_____A6	4,832,483	05/23/89	Verra	356	39	09/03/87
_____A7	4,852,579	08/01/89	Gilstad, et al.	128	665	04/20/87
_____A8	4,858,238	08/15/89	Cardimona	372	3	01/14/88
_____A9	5,034,228	07/23/91	Meybeck, et al.	424	401	11/01/89
_____A10	5,124,313	06/23/92	Schaeffer, et al.	514	2	06/02/89
_____A11	5,243,983	09/14/93	Tarr, et al.	128	633	12/14/90
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_____A20	5,451,785	09/19/95	Faris	250	330	03/18/94
_____A21	5,452,723	09/26/95	Wu, et al.	128	664	07/24/92
_____A22	5,553,616	09/10/96	Ham, et al.	128	633	11/30/93

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not in conformance. Include copy of this form with next communication to applicant.

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Group: 2633

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_____	A23	5,556,612	09/17/96	Anderson, et al	Technology Center	6300
_____	A24	5,567,628	10/22/96	Tarcha, et al	436	06/30/94
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_____	A32	6,205,354	03/20/01	Gellermann, et al	600	06/18/99

Foreign Patent Documents

Examiner Initial*	Document Number	Publ Date	Country or Patent Office	Sub Class	Class	Trans- lation
_____	A33	WO 92/10131	06/25/92	PCT		N/A
_____	A34	WO 92/15008	09/03/92	PCT		N/A
_____	A35	EP 0 722 692	07/24/96	EP		N/A

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner
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_____	A36	Brody, J.E., "Health Factor in Vegetables Still Elusive," The New York Times, Section C, Page 1, February 21, 1995
_____	A37	Bone, R.A., Landrum, J.T., and Cairns, A., "Optical Density Spectra of the Macular Pigment In Vivo and In Vitro," Vision Res., Vol 32, No. 1, pages 105-110, 1992.
_____	A38	Handelman, G.J., Snodderly, D.M., Kirsinsky, N.I., Russett, M.D., and Adler, A.J., "Biological Control of Primate Macular Pigment," Inv. Ophthalmol. Vis. Sci., Vol 32, No. 2, pages 257-267, February, 1991.
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Examiner:

Date Considered:

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Haller, Jr., Miller, D.T., Yannuzzi, L.A., and Willet, W., "Dietary Carotenoids, Vitamins A, C and E, and Advanced Age-Related Macular Degeneration," J. Am. Med. Assoc., Vol. 272, No. 18, pages 1413-1420, November 9, 1994.

- _____ A41 Schach, Wolfgang, "Carotenoids in the Retina - A Review of Their Possible Role in Preventing or Limiting Damage Caused by Light and Oxygen," Free Radicals and Aging, Basel, Switzerland: Birkhauser Verlag, pages 280-298, 1992.
- _____ A42 Tom C. Bakker Schut, Gerwin J. Puppels, Yvonne M. Kraan, Jan Greve, Louis L.J. Van Der Maas, and, Carl G. Figdor, "Intracellular Carotenoid Levels Measured by Raman Microspectroscopy: Comparison of Lymphocytes from Lung Cancer Patients and Healthy Individuals," Int. J. Cancer (Pred. Oncol): 74, 20-25 (1997)
- _____ A43 Monika Gniadecka, Hans C. Wulf, Ole F. Nielsen, Daniel H. Christensen, and, Jana Hercogova, "Distinctive Molecular Abnormalities in Benign and Malignant Skin Lesions: Studies by Raman Spectroscopy," Photochemistry and Photobiology, 1997, 66(4): 418-423
- _____ A44 Christopher J. Frank, Douglas C.B. Redd, Ted S. Gansler, and, Richard L. McCreery, "Characterization of Human Breast Biopsy Specimens with Near-IR Raman Spectroscopy," Anal. Chem. 1994, 66, 319-326
- _____ A45 Berendshot, Tos T. J. M., et al., "Influence of Lutein Supplementation on Macular Pigment, Assessed with Two Objective Techniques," IOVS, October 2000, Vol. 41, No. 11, pages 3322-3326
- _____ A46 Elsner, Ann E., et al., "Foveal Cone Photopigment Distribution: Small Alterations Associated with Macular Pigment Distribution," IOVS, November 1998, Vol. 39, No. 12, pages 2394-2404

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citation not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as reference cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2 etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner: _____

Date Considered: _____

*EXAMINER: Initial if reference considered, whether or not citation with MPEP 609; draw line through citation if not in conformance and include copy of this form with next communication to applicant.